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9 RECONTRUST COMPANY, N.A. and
10 COUNTRYWIDE HOME LOANS, INC.

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

13 GABINO AGUILAR and CELIA
14 HUERTERO DE AGUILAR,

15 Plaintiffs,

16 vs.

17 RECONTRUST COMPANY;
18 COUNTRYWIDE HOME LOANS,
19 INC., and DOES 1-50, inclusive,

20 Defendants.

Case No. SACV08-1217 R (MANx)

**ENTRY OF JUDGMENT OF
DISMISSAL**

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1 Having reviewed the Court's docket and the papers on file in the above-
 2 captioned matter, the Court finds the following:

3 1. On September 30, 2008, Plaintiffs Gabino Aguilar and Celia Huertero
 4 De Aguilar ("Plaintiffs") filed the instant action against Defendants ReconTrust
 5 Company, N.A. and Countrywide Home Loans, Inc. (collectively "Defendants")

6 2. On October 30, 2008, Defendants timely removed the action from the
 7 Superior Court for the County of Orange to this Court.

8 3. On November 6, 2008, Defendants filed a motion to dismiss each of the
 9 causes of action asserted in Plaintiffs' Complaint based on the uncertainty of the
 10 claims and Plaintiff's failure to state a valid cause of action.

11 4. The motion to dismiss was decided on December 11, 2008. The Court
 12 granted Defendants' unopposed motion to dismiss with leave to amend. The
 13 Court's order provided that Plaintiff was required to file an amended complaint by
 14 January 12, 2009.

15 5. Plaintiffs failed to file an amended complaint by January 12, 2009.

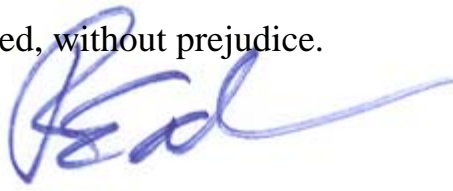
16 6. On February 23, 2009, the Court held an Order to Show Cause Re:
 17 Dismissal and/or Sanctions for Failure to Appear at the Scheduling Conference
 18 ("OSC").

19 7. Plaintiffs failed to appear at the OSC.

20 Accordingly, for the reasons set forth above, **IT IS ORDERED,**
 21 **ADJUDGED AND DECREED** as follows:

22 That this action is hereby dismissed, without prejudice.

23
 24 Dated: September 22, 2009


 25 Hon. Manuel L. Real,
 26 District Court Judge
 27 United States District Court
 28 Central District of California